

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

HARMEL S. RAYAT *et al.*,

Defendants.
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21-cv-4777 (LJL)

MEMORANDUM &
ORDER

LEWIS J. LIMAN, United States District Judge:

Defendants files a letter motion for discovery and clarification, Dkt. No. 217, with respect to this Court’s July 10, 2023 Opinion and Order, Dkt. No. 212, granting Plaintiff’s motion to compel, Dkt. No. 209. The motion states that on June 22, 2018, Bhogal entered into a new Executive Consulting Agreement, effective June 11, 2018, that superseded his prior consulting agreement and appointed him Chief Operating Officer (“COO”) of Renovacare, Inc. Dkt. No. 217. It further states that pursuant to that role, Bhogal served as Renovacare’s COO from June 11, 2018 through July 1, 2020. *Id.* The Court reserved decision on the motion for clarification pending the conclusion of Bhogal’s deposition. Dkt. No. 226. Following the deposition, Plaintiff withdrew its opposition to the motion for clarification, stating that the documents cited by Defendants and Bhogal’s testimony made clear that Defendants acknowledged Bhogal’s role and held him out as a Company executive after June 2018. Dkt. No. 228.

The motion for clarification is GRANTED. The Court’s July 10, 2023 Opinion and Order does not compel production of documents pertaining to the period in which Mr. Bhogal served as Renovacare’s COO from June 11, 2018 through July 1, 2020. The Clerk of Court is respectfully directed to close Dkt. No. 217.

SO ORDERED.

Dated: August 4, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge